



THE ATTORNEY GENERAL
OF TEXAS

Gerald C. Mann
Attorney General

Honorable Homer P. Rainey, President
The University of Texas
Austin, Texas

Dear Mr. Rainey

Opinion No. 0-3799

Re: Matter of the oath required of teachers, instructors, visiting instructors, or other employees of tax-supported schools, colleges, university, or other tax-supported institutions of learning in Texas, under S. B. No. 38, Regular Session, 47th Legislature.

Answering your inquiry of July 19, 1941, concerning the interpretation of S. B. No. 38 of the Regular Session of the 47th Legislature, we beg to advise:

The oath of office required by S. B. No. 39 of a "teacher, instructor, visiting instructor, or other employee in, for, or connected with any tax-supported school, college, university, or tax-supported institution of learning in this state," should be taken by such teacher, or other person designated by the Act by subscribing his name to a printed or written oath of office, as prescribed by Article XVI, Section 1, of the Constitution, as amended November 8, 1938, before an officer authorized to administer oaths in this state, such as a judge or clerk of a court of record, a justice of the peace, or a notary public, duly authenticated by such officer's certificate.

It probably is true, that an oral oath of office administered to such person by a competent authority would meet the requirement of the statute, but for administrative purposes, it is infinitely better that the oath when taken should be subscribed as above indicated, to the end that such subscribed oath may be filed with the governing body of the school, college, university, or institution of learning by whom the subscribing teacher, or other employee, is employed.

For your convenience we are attaching hereto a copy of such oath of office.

APPROVED JUL 25, 1941
/s/ Grover Sellers
FIRST ASST. ATTORNEY GENERAL

Yours very truly,
ATTORNEY GENERAL OF TEXAS
BY: /s/ Ocie Steen, ASSISTANT

OS-MR

APPROVED: Opinion Committee
BY: BWB, Chairman